IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE V.ESWARAIAH
Writ Petition No.11413 of 2007
DATED 05-06-2007

BETWEEN
Tirupati Social and Cultural Society, Tirupati.

.. Petitioner

And

The State of A.P., Tirupati and others.

.. Respondents

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.11413 of 2007

ORDER:

In this Writ petition the petitioner is seeking a Writ of Mandamus declaring the action of the respondents in illegally interfering with the lawful activities of the petitioner-Cultural Association as arbitrary and illegal.

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for the respondents.

It is brought to my notice that in similar circumstances, a Division Bench of this Court has clarified the legal position in this regard in its Judgment in W.A.No.1167 of 2002 dated 29.07.2002. The relevant portion may be extracted hereunder:

" The police authorities cannot obstruct the Writ Petitioner-Club from conducting card room

> where the members and guests of the Writ Petitioner's cultural center are allowed to play the game of rummy with stakes/syndicate (thirteen card game). At the same time, we make it clear that the police are always at liberty to enter the premises and check as to whether the cultural center of the Club is conducting card room where the members and guests of petitioner's cultural center are playing the game of rummy with stakes/syndicate (thirteen card game), for the purpose of verification. If they receive any intimation, police may enter the Club and verify the same and proceed further if the members and guests of Writ Petitioner's cultural center play other than the game of rummy with stakes/syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which are already registered."

Following the above judgment of the Division Bench, the Writ Petition is disposed of in terms of the directions given in the judgment in W.A.No.1167 of 2002 dated 29.07.2002.

However, it is made clear that the respondents are at liberty to take appropriate action against the members of the petitioner-association if they promote any illegal activity at the premises of the petitioner association. There shall be no order as to costs.

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05-06-2007

Prv